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HW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

FABIAN HAISCHMANN ET AL.

Serial No. **10/623,279**

Filing Date: **July 18, 2003**

For: **DEVICE FOR RINSING A BODY CAVITY**

Art Unit: **3761**

Attorney Docket No.
90096

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE FOR RECONSIDERATION OF PETITION UNDER 37 CFR 1.47(a)

Responsive to the Decision Refusing Status Under 37 CFR 1.47(a) mailed April 15, 2004, Applicant encloses the executed Declaration of Fabian Haischmann, who, upon further contact from the Assignee, has agreed to sign same. Therefore, it is respectfully believed that the Petition under 37 CFR 1.47(a) is now moot, and it is requested that the enclosed document be entered, thereby fulfilling the filing requirements for the above-referenced application.

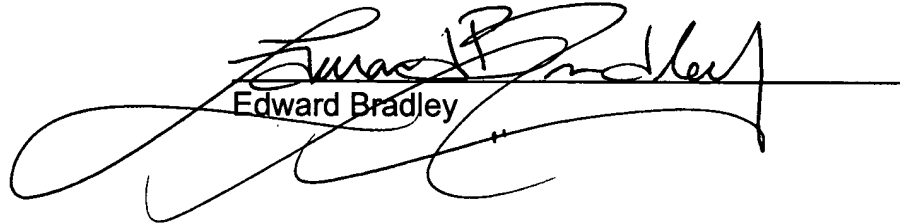
Respectfully submitted,

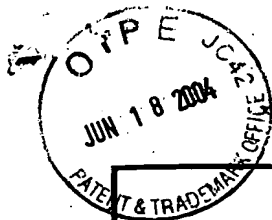
Jacqueline E. Hartt
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Agent for Applicant



CERTIFICATE OF MAILING

I hereby certify that the foregoing is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 15TH day of June, 2004.


Edward Bradley



**DECLARATION FOR
UTILITY OR DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☐ Declaration
Submitted
with Initial
Filing OR ☒ Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (e))
required)

Attorney Docket Number	90096
First Named Inventor	Fabian Haischmann

COMPLETE IF KNOWN

Application Number	10/
Filing Date	07/18/2003
Group Art Unit	
Examiner Name	

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DEVICE FOR RINSING A BODY CAVITY

(Title of the Invention)

the specification of which

☐ is attached hereto
OR

☒ was filed on (MM/DD/YYYY) 07/18/2003 as United States Application Number or PCT International Application
Number 10/ and was amended on (MM/DD/YYYY) _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Numbers	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
DE 192 33 953.0-35	Germany	07/19/2002	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet TPO/SB/02B attached hereto.

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control

DECLARATION — Utility or Design Patent Application

number.

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

U.S. Parent Application
or PCT Parent Number

Parent Filing Date
(MM/DD/YYYY)

Parent Patent Number
(if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business

In the Patent and Trademark Office connected therewith: ☒ Customer Number 09355
OR

☒ Registered practitioner(s) name/registration number listed below.

Name	Registration Number	Name	Registration Number
Herbert L. Allen	25,322	Jacqueline E. Hartt	37,845
Christopher F. Regan	34,906	Paul J. Ditmyer	40,455
David S. Sigalow	36,006	Michael W. Taylor	43,182
Richard K. Warther	32,180	John F. Woodson, II	45,236
Carl M. Napolitano	37,405	Mark R. Malek	46,894
Enrique G. Estévez	37,823		

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to:

☐ Customer Number
or Bar Code Label

OR ☒ Correspondence address below

Name

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor

☐ A petition has been filed for this unsigned inventor.

Given Name (first and middle — [if any])

Family Name or Surname

Fabian Haischmann

Inventor's
Signature

Fabian Haischmann

Date

12.05.04

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Citizenship

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Country

Germany

☐ Additional inventors are being named on the _____ supplemental additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

DECLARATION	ADDITIONAL INVENTOR(S) Supplemental Sheet
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Name of Additional Joint Inventor, If any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor.			
Given Name (first and middle — [if any])	Family Name or Surname				
Thomas Merzhauser					
Inventor's Signature			Date		
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Name of Additional Joint Inventor, If any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor.			
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Inventor's Signature			Date		
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Name of Additional Joint Inventor, If any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor.			
Given Name (first and middle — [if any])	Family Name or Surname				
Martin Reuther					
Inventor's Signature			Date		
Residence	Berlin,	Country	Germany	Citizenship	German
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City/State/Zip	Berlin, DE-10553		Country	Germany	